

NO. 68874

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUL 07 2002

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 11 1996 under 61931

The applicant **Robert I. Cowles** by **Robert G. Cowles Jr., Trustee** hereby makes application for permission to change the **Manner of Use** of water heretofore appropriated under **Permit 61931**

1. The source of water is **Underground**
2. The amount of water to be changed **2.0 cfs, 224.044 acre-feet annually**
3. The water to be used for **Power Plant**
4. The water heretofore permitted for **Mining, Milling and Domestic**
5. The water is to be diverted at the following point **no change**
6. The existing permitted point of diversion is located within **SE¼ SE Section 24, T.21N., R.23E., MDM, or at a point from which the Southeast corner of said Section 24 bears South 43° 59' 35" East, 464.67 feet**
7. Proposed place of use **no change**
8. Existing place of use **Sections 16, 17, 18, 20, 21, 22, and Sections 24 through 36, T.21N., R.23E., and Sections 19 and 30, T.21N., R.24E., and Section 5, T.20N., R.23E., MDM**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Well, pump, motor, pipeline and storage facilities for a proposed power plant**
12. Estimated cost of works **in excess of \$250,000**
13. Estimated time required to construct works **3 years**
14. Estimated time required to complete the application of water to beneficial use **6 years**
15. Remarks: **See Attached.**

Bruce R. Scott, Resource Concepts, Inc.
By s/ **Bruce R. Scott**
340 North Minnesota Street
Carson City, Nevada 89703

AGENT
WITHDRAWN BY **AGENT** **DEC 10 2004**

Compared gkl/ cmf

Protested 9/13/02 by Washoe County;

James Ricci, P.E. STATE ENGINEER
Sum

Attachment to Application to Change Permit 61931

The applicant hereby stipulates to the following conditions and limitations associated with approval of this change application.

1. On the date that is 30 years from the date that proof of beneficial use is filed, Applicant will terminate all use of the water and all pumping under this application and provide appropriate documentation confirming cessation of use and pumping to the State Engineer thereby terminating all right or claim to the water rights under this application.
2. Applicant shall cooperatively develop and provide a monitoring and mitigation plan to the satisfaction of the State Engineer. Details and outline of the plan will be submitted to the State Engineer prior to the ready for action date of this application as a condition of approval.
3. Applicant further stipulates that, if pumping under this application can be shown through a monitoring plan to significantly impact the flow of the Truckee River, applicant will mitigate that impact by providing appropriate Truckee River water rights deemed suitable by the State Engineer as mitigation for such impact. This mitigation water shall be held in trust and committed to be managed consistent with an appropriate filing with the State Engineer.

The applicant will provide a hydrologic report and assessment of the potential impact to the Truckee River as additional evidence of limited impact of pumping under this application to both the Dodge Flat Groundwater Basin and the Truckee River.